

## **REMARKS**

Claims 1-19, 23-29, 33, 34, 36-37 & 39-42 are currently pending in the application. Claims 30-32 and 35 are previously canceled and claims 20-22 and 38 are canceled herewith. Claims 1, 12 and 33 are amended herewith.

Applicant thanks the Examiner for indicating allowable subject matter.

### **Information disclosure statement**

The Examiner has rejected objected to the IDS form of March 30, 2011 for not providing a concise explanation of the relevance of foreign language documents.

With regard to the three Japanese language publications, their relevance is explained in the documents

*1. Translation of Notification of Reasons for Rejection Dated 24 December 2010 From the Japanese Patent Office Re. Application No. 2007-503495.*

For JP Patent Number 03-500489, cited in this OA.

and JP Patent Number 2002-532198, cited in this OA.

And

*2. Notification of Reasons for Rejection Dated 18 February 2011 From the Japanese Patent Office Re. Application No 2007-503494 and Its Translation into English.*

For JP Patent Number 06-503982, cited in this OA.

Which documents are also in the same IDS filed on March 30, 2011.

Of the two Russian documents, one (*Request for Formal Examination Dated 24 February 2011 From the ROSPATENT, Federal Government Institution, Federal Institute of Industrial Property of the Federal Service for Intellectual Property, Patents and Trademarks of the Russian Federation Re. Application No. 2010146714.*) is a list of objections to multiple dependencies and multiple claims, under Russian law and the other (*Response Dated 20 October 2010 to Official Action of 11 June 2010 From the Federal Institute of Industrial and Intellectual Property, Patents and Trademarks, ROSPATENT, of the Russian*

*Federation Re.: Application No. 2010100368*) is a listing of replacement claims both in Russian and in English.

The Mexican document (*Examination Report Dated 13 October 2010 From the Instituto Mexicano de la Propiedad Industrial Re. Application No. MX/a/2007/011339*) is being supplemented by an attached or soon to be filed IDS which includes a summary of the rejections of the Mexican patent office, in English.

### **Claim Rejections under 35 U.S.C. §102 & 35 U.S.C. §103**

While applicant does not agree with the rejections, in order to further the application to issue, applicant is taking the allowed claims and amending objected claims to include limitations of parent claims, so these rejections are moot.

Claim 1 (indicated as allowable) is amended to include the limitations of parent claim 12, so all of claims 1-11 should be allowable.

Claims 12 is amended to include the limitations of claims 20-22 (indicated as allowable) as a Markush group, so claim 12 and claims dependent thereon are now allowable.

Claim 29 (indicated as allowable) is amended to include the limitations of intervening claims 12 and 23, so is now allowable.

Claim 33 is amended to include the limitation of claim 38 (indicated as allowable), so claim 38 is canceled and claims 34, 36 and 37 are now dependent on an allowable claim.

Applicant reserves the right to file a divisional and/or continuation application to with the canceled subject matter and/or other unclaimed subject matter.

### **Conclusion**

All issues have been addressed. A notice of allowance is respectfully awaited.

Respectfully submitted,

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### **Enclosure:**

- Petition for Extension (One Month)